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IN THE SENATE OF THE UNITED STATES.

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FEBRUARY 26, 1891.—Ordered to be printed.

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Mr. CAMERON, from the Committee on Military Affairs, submitted the following

REPORT:

[To accompany H. R. 5537.]

The Committee on Military Affairs, to whom was referred the bill (H. R. 5537) for the relief of Warren Stamp, having had the same under consideration beg leave to submit the following report :

The committee adopt the House report on this bill, which covers all the facts in the case, and recommend the passage of the bill.

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HOUSE REPORT.

The committee in making this report are controlled by the following reasons:

The records show that this soldier was enrolled on January 14, 1862, a private of Company I, One hundred and eleventh Pennsylvania Volunteers, to serve 3 years, and served with his command until he deserted on October 22, 1862, at Loudoun Heights, Va.

The records further show that the said Warren Stamp, under the name of John W. Thompson, was enrolled on February 26, 1864, a private in Company G, Second Ohio Cavalry Volunteers, to serve 3 years, and served faithfully with this organization until mustered out with it, September 11, 1865.

It has been made apparent to the committee that the cause of the desertion of the said Warren Stamp was the fact that, having struck an officer, he was under arrest, and that, fearing he would be court-martialed and dealt with severely, he left the regiment in which he had originally enlisted and entered the service under another name. The cause of striking the officer was that he was struck with a sword by the officer because of some alleged misconduct on his part.

It has been further made apparent that at the time of the enlistment of the said Warren Stamp he was only 15 years of age, and in consequence could hardly realize the penalties which would ensue to him by reason of his having deserted the service of his country.

Under date of April 25, 1889, the said Warren Stamp applied to the War Department for the removal of the charge of desertion against him. His request could not be complied with in consequence of the provisions of section 3 of the act of Congress approved March 2, 1889, which provides that if the desertion exceeds the period of 4 months before the second enlistment the charge of desertion can not be removed by the Department.

In view of the fact that the said Warren Stamp was so very young at the time of his desertion, and that he afterwards faithfully served in the Union Army until after the end of the war, to wit, September 11, 1865, the committee see no reason why the charge of desertion on the records of the War Department should not be removed and an honorable discharge issued to him.

The committee herewith append to this report a statement of facts submitted by the War Department bearing upon this case of the date of March 22, 1890.

*Case of Warren Stamp, late private Company I, One hundred and eleventh Pennsylvania Volunteers, alias John W. Thompson, late private Company G, Second Ohio Cavalry Volunteers. (In violation of twenty-second, now fiftieth, Article of War.)*

RECORD AND PENSION DIVISION, March 26, 1890.

Warren Stamp was enrolled on January 14, 1862, a private of Company I, One hundred and eleventh Pennsylvania Volunteers, to serve 3 years, and served with his command until he deserted on October 22, 1862, from Loudoun Heights, Va.

Under the name of John W. Thompson he was enrolled on February 26, 1864, a private in Company G, Second Ohio Cavalry Volunteers, to serve 3 years, and served faithfully with this organization until mustered out with it on September 11, 1865.

Warren Stamp, under date of April 25, 1889, applied for removal of the charge of desertion against him, and testified that the reason for his desertion was his fear of being arraigned before a court-martial, he being at the time of his desertion under arrest for having struck his superior officer, who had first struck him with his sword; that he was at the time of his enlistment only 15 years of age; he afterwards enlisted in Company G, Second Ohio Cavalry Volunteers, under the name of John W. Thompson.

His enlistment in the Second Ohio Cavalry Volunteers while a deserter from the One hundred and eleventh Pennsylvania Volunteers was in violation of the twenty-second, now fiftieth, Article of War; and as such absence in desertion before his subsequent enlistment exceeded the period of 4 months, the provisions of section 3, act of Congress approved March 2, 1889, prohibit favorable action on his application by the War Department, and his application was accordingly rejected.

Respectfully submitted,

THE SECRETARY OF WAR.

F. C. AINSWORTH,  
Captain and Assistant Surgeon, U. S. Army.

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